

**LPDES PERMIT NO. LA0084077, AI 40832, Activity No. PER20080002  
STATEMENT OF BASIS**

**FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
(LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA**

**COMPANY/FACILITY:** Bollinger Shipyards, Inc.  
Bollinger Bollinger Larose, LLC  
P. O. Box 1410  
Larose, Louisiana 70373

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Elizabeth Johnson

**DATE PREPARED:** October 2, 2009

**I. PERMIT STATUS**

**A. Reason For Permit Action:**

Proposed reissuance of an existing Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX revised as of June 20, 1997.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.2301.F, 4901 and 4903.

**B. NPDES permit effective date:** N/A  
**NPDES permit expiration date:** N/A  
EPA has not retained enforcement authority.

**C. LPDES permit LA0084077**  
LPDES permit effective date: May 1, 2004  
LPDES permit expiration date: April 31, 2009  
LPDES modified permit effective date: October 1, 2004

Stormwater Permit – LAR05N064  
LPDES permit effective date: May 25, 2006  
LPDES permit expiration date: April 30, 2011

Sanitary Permit – LAG541539  
LPDES permit effective date: November 21, 2008  
LPDES permit expiration date: June 30, 2013

**D. Date Application Received:** October 31, 2008  
**Permit Addendum Received –** October 9, 2009

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## II. FACILITY INFORMATION

### A. Location:

1515 Highway 24, Lafourche Parish  
Latitude: 29° 33' 1"  
Longitude: 90° 23' 41"

### B. Applicant Activity:

Bollinger Shipyards, Inc., Bollinger Larose, LLC (LAR) located in Larose, Louisiana, Lafourche Parish, is an existing marine vessel and barge maintenance and repair facility that has been in operation since 1977. LAR conducts activities related to the repair and maintenance of marine vessels and barges constructed of both steel and aluminum. The industrial activities conducted within the repair yard include cutting, welding, blasting, painting, corrosion protection application, engine maintenance and repair, structure repair and part replacement. In addition to marine vessel repair operations, LAR also operates a Safe Harbor to safely store customer vessels during vessel downtime or severe weather conditions, such as hurricanes.

According to the application, there may be wastewater discharges from customer vessels which are docked at the facility that are not generated from construction or maintenance and repair operations conducted by Bollinger. These wastewater discharges are generated as a result of normal operation of the vessels. Coverage under this LPDES permit does not exempt the vessel from compliance with the requirements of the EPA Vessel General Permit For Discharges Incidental To The Normal Operation of Vessels (See <http://www.epa.gov/npdes/vessels>).

### C. Technology Basis:

40 CFR Chapter I, Subchapter N, Effluent Guidelines and Standards, Parts 401, 405-417 and 421-471 as adopted by reference in LAC 33:IX.4903.

#### Other sources of technology based limits:

General Permit for Hydrostatic Test Wastewater (LAG670000)  
General Permit for Exterior Vehicle Wash Wastewater (LAG750000)  
General Permit for Sanitary Wastewater (LAG530000 and LAG540000)

### D. Fee Rate

1. Fee Rating Facility Type: minor
2. Complexity Type: I (Interim Strategy for Complexity Designations for SIC codes 3731 and 3732)
3. Wastewater Type: II
4. SIC code: 3731

## III. RECEIVING WATERS:

### A. Stream:

Directly to the Intracoastal Waterway

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B. Basin and Subsegment:

Subsegment 120604

C. Designated Uses:

The designated uses of this subsegment in the Terrebonne Basin are primary contact recreation, secondary contact recreation and propagation of fish and wildlife.

IV. **OUTFALL INFORMATION**

Outfall 001

- A. Discharge Type: treated sanitary wastewater from the yard
- B. Location: at the point of discharge from the treatment plant located at the south side of the facility prior to combining with other waters
- C. Treatment: activated sludge package sanitary treatment plant
- D. Flow: 5,000 GPD
- E. Discharge Route: directly to the Intracoastal Waterway

Outfall 004

- A. Discharge Type: treated sanitary wastewater from the restrooms near the warehouse, office buildings D & E and dry dock area
- B. Location: at the point of discharge from the treatment plant located at the southeast corner of the facility prior to combining with other waters
- C. Treatment: activated sludge package sanitary treatment plant
- D. Flow: 10,000 GPD
- E. Discharge Route: directly to the Intracoastal Waterway

Outfall 005

- A. Discharge Type: the discharge of facility ballast water, dry dock ballast water and/or void water
- B. Location: at the point of discharge from the facility owned work barges/vessels and/or dry docks prior to combining with other waters.
- C. Treatment: none
- D. Flow: intermittent
- E. Discharge Route: directly to the Intracoastal Waterway

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Outfall 006

- A. Discharge Type: discharge of external equipment wash wastewater from portable washing operations used for washing equipment throughout the facility including the wash rack
- B. Location: at the point of discharge from the washing activity prior to combining with other waters.
- C. Treatment: none
- D. Flow: intermittent
- E. Discharge Route: directly to the Intracoastal Waterway

Outfall 007

- A. Discharge Type: hydrostatic test water from ballast/void tanks and/or new or previously cleaned piping, vessels and tanks
- B. Location: at the point of discharge from the piping, vessel and/or tank being tested prior to combining with other waters
- C. Treatment: none
- D. Flow: intermittent
- E. Discharge Route: directly to the Intracoastal Waterway

Outfall 008:

- A. Discharge Type: treated sanitary wastewater from the living quarters
- B. Location: at the point of discharge from the treatment plant located in the southern portion of the facility near the living quarters prior to combining with other waters of the state
- C. Treatment: activated sludge package sanitary treatment plant
- D. Flow: 7,000 GPD
- E. Discharge Route: directly to the Intracoastal Waterway

**V. PROPOSED CHANGES FROM PREVIOUS PERMIT:**

- A. Outfall 005A - this outfall has been deleted. These discharges are now covered under the 2008 Vessel General Permit, issued by the Environmental Protection Agency, (VGP), effective on December 19, 2008. The requirements and conditions of this permit may be viewed at [http://www.epa.gov/npdes/pubs/vessel\\_vgp\\_permit.pdf](http://www.epa.gov/npdes/pubs/vessel_vgp_permit.pdf).
- B. The Measurement Frequency for discharges through Outfall 005 were changed from once per week to once per discharge at the permittee's request and to better reflect current Departmental guidance concerning the permitting of ship building and repairing facilities.

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- C. Outfall 005 - a company request to change the 250 mg/L daily maximum COD limitation to a 150 mg/L daily maximum TOC limitation due to interference from high chloride concentrations was partially granted. Analytical results submitted by Bollinger suggest that 50 mg/L daily maximum TOC limitation is more appropriate. Therefore, the 250 mg/L COD limitation has been replaced with a 50 mg/L Daily Maximum TOC limitation.
- D. Discharge Monitoring Report language listed at Part II, Paragraph V of the permit has been revised to delete the requirement to send duplicate copies of DMRs to the Southeast Regional Office.
- E. The Complexity and Wastewater Type designations have been changed to better reflect updated Departmental permitting guidance and current guidance for the ship building and repairing and boat building and repairing, pleasure craft categories as defined by the INTERIM STRATEGY FOR COMPLEXITY DESIGNATION DETERMINATIONS FOR SIC CODES 3731 AND 3732.
- F. The footnotes for Outfall 007, hydrostatic test wastewater, have been updated to reflect changes in Departmental guidance for the permitting of ship building and repairing facilities. The additional requirement of reporting monthly average flow has been added.
- G. There are numerous changes to Part II. These changes are due to updates to Departmental guidance concerning the permitting of ship building and repairing facilities. These changes include additional requirements resulting in changes in numbering from the previous permit.
- H. Outfall 008 has been added. This Outfall is currently permitted through General Permit Authorization LAG541539. Upon issuance of the final permit, General Permit Authorization LAG541539 will be terminated.
- I. The EPA listed subsegment was changed from 120304 to 120604. This change is due to a change in Department mapping techniques and the waste load allocations assigned to LAR in the United States Environmental Protection Agency (EPA) issued final report for Total Maximum Daily Load (TMDL) for Dissolved Oxygen and Nutrients in five (5) 303(d) listed subsegments in Middle Terrebonne Basin, Louisiana dated March 14, 2008.
- J. Outfalls 001 and 004 monitoring requirements were updated to reflect current guidance for similar outfalls. Ammonia and Organic Nitrogen were added to these outfalls per the waste load allocations assigned in the United States Environmental Protection Agency (EPA) issued final report for Total Maximum Daily Load (TMDL) for Dissolved Oxygen and Nutrients in five (5) 303(d) listed subsegments in Middle Terrebonne Basin, Louisiana dated March 14, 2008.
- K. The monitoring frequency of Outfalls 001 and 004 was increased based on BPJ due to the compliance history at these outfalls.

## VI. PERMIT LIMIT RATIONALE:

The following section sets forth the principal facts and the significant factual, legal, methodological and policy questions considered in preparing the draft permit. Also, set forth are any calculations or other explanations of the derivation of specific effluent limitation and conditions, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under LAC 33:IX.2707 and reasons why they are applicable or an explanation of how the alternate effluent limitations were developed.

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A. Outfall 001:

The discharge of treated sanitary wastewater from the yard.

PARAMETER	MONTHLY AVERAGE (mg/L)	DAILY MAXIMUM (mg/L)	MONITORING FREQUENCY <sup>1</sup>
Flow-MGD	Report	Report	1/quarter
Ammonia	---	15	1/quarter
BOD <sub>5</sub>	30	45	1/quarter
Organic Nitrogen	---	7.5	1/quarter
TSS	30	45	1/quarter
Fecal Coliform <sup>2</sup>	200	400	1/quarter
pH(standard units)	6.0 <sup>3</sup> Minimum	9.0 <sup>3</sup> Maximum	1/quarter

<sup>1</sup> When discharging.

<sup>2</sup> Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the permittee would be required to provide for dechlorination of the effluent prior to discharge.

<sup>3</sup> The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

**Site Specific Considerations for Outfall 001**

Flow is established in accordance with LAC 33:IX.2707.I.1.b. Flow shall be monitored at a frequency of once per quarter and reported on the DMR as an estimate.

Ammonia and Organic Nitrogen monitoring frequency requirements are established based upon the waste allocation limitations assigned in the United States Environmental Protection Agency (EPA) issued final report for Total Maximum Daily Load (TMDL) for Dissolved Oxygen and Nutrients in five (5) 303(d) listed subsegments in Middle Terrebonne Basin, Louisiana dated March 14, 2008. Ammonia and Organic Nitrogen shall be monitored at a frequency of once per quarter and collected as a grab sample.

BOD<sub>5</sub>, TSS, fecal coliform and pH limitations and monitoring requirements are established based on LPDES General Permit LAG530000 (Schedule B). These parameters shall be monitored at a frequency of once per quarter and collected as a grab sample. The frequency has been increased from once per six (6) months to once per quarter based on BPJ due to the compliance history at this outfall.

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B. Outfall 004:

The discharge of treated sanitary wastewater from the restrooms near the warehouse, office buildings D & E and the dry dock area.

PARAMETER	MONTHLY AVERAGE (mg/L)	DAILY MAXIMUM (mg/L)	MONITORING FREQUENCY <sup>1</sup>
Flow-MGD	Report	Report	1/quarter
Ammonia	---	15	1/quarter
BOD <sub>5</sub>	30	45	1/quarter
Organic Nitrogen	---	7.5	1/quarter
TSS	30	45	1/quarter
Fecal Coliform <sup>2</sup>	200	400	1/quarter
pH(standard units)	6.0 <sup>3</sup> Minimum	9.0 <sup>3</sup> Maximum	1/quarter

<sup>1</sup> When discharging.

<sup>2</sup> Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the permittee would be required to provide for dechlorination of the effluent prior to discharge.

<sup>3</sup> The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

**Site Specific Considerations for Outfall 004**

Flow is established in accordance with LAC 33:IX.2707.1.1.b. Flow shall be monitored at a frequency of once per quarter and reported on the DMR as an estimate.

Ammonia and Organic Nitrogen monitoring frequency requirements are established based upon the waste allocation limitations assigned in the United States Environmental Protection Agency (EPA) issued final report for Total Maximum Daily Load (TMDL) for Dissolved Oxygen and Nutrients in five (5) 303(d) listed subsegments in Middle Terrebonne Basin, Louisiana dated March 14, 2008. Ammonia and Organic Nitrogen shall be monitored at a frequency of once per quarter and collected as a grab sample.

BOD<sub>5</sub>, TSS, fecal coliform and pH limitations and monitoring requirements are established based on LPDES General Permit LAG540000. These parameters shall be monitored at a frequency of once per quarter and collected as a grab sample. The frequency has been increased from once per six (6) months to once per quarter based on the requirements of LPDES General Permit LAG540000 and BPJ due to the compliance history at this outfall.

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C. Outfall 005:

The intermittent discharge of the discharge of facility ballast water, dry dock ballast water, and/or void water

PARAMETER	MONTHLY AVERAGE (mg/L)	DAILY MAXIMUM (mg/L)	MONITORING FREQUENCY
Flow-MGD	Report	Report	1/discharge
TOC <sup>2</sup>	---	50	1/discharge
Oil & Grease <sup>2</sup>	---	15	1/discharge
pH(standard units)	6.0 <sup>3</sup> Minimum	9.0 <sup>3</sup> Maximum	1/discharge
Visible Sheen	---	No Presence	1/discharge

<sup>1</sup> See Part II Paragraph N.

<sup>2</sup> Discharge shall be sampled whenever there is a presence of a visible sheen.

<sup>3</sup> The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

**Site Specific Considerations for Outfall 005**

Flow and pH effluent limitations and monitoring frequencies are based upon LDEQ's current guidance for permitting these types of wastewaters, LAC 33:IX.2707.1.1.b and LAC 33:IX.1113.C.1.

Oil & Grease effluent limitation and monitoring frequency are based upon LDEQ's current guidance for permitting these types of wastewaters. **Sampling is only required when a visible sheen is present (See Permit Part II, Paragraph N).**

Visible Sheen effluent limitation and monitoring frequency is based upon LDEQ's current guidance for permitting these types of wastewaters.

TOC 50 mg/L daily maximum effluent limitation has been established to replace the 250 mg/L daily maximum COD limitation at a monitoring frequency of once per discharge based on best professional judgment. The once per discharge monitoring frequency is consistent with LDEQ's current guidance for permitting these types of wastewaters. **Sampling is only required when a visible sheen is present (See Permit Part II, Paragraph N).**

Bollinger requested to change their organic indicator parameter from COD to TOC due to analytical interference with the COD results stemming from high inorganic constituent concentrations (such as from chloride levels typically found in marine waters). According to the request, this interference results in reported COD concentrations that are not representative of the actual organic compound concentrations that the COD analysis is intended to measure.



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Bollinger's initial letter dated September 11, 2007, requested consideration for the 150 mg/L daily maximum TOC limitation based on similar discharges permitted by other Regions VI states. To support this request, Bollinger collected analytical data from June 2007 through December 2008 and presented the results in a document dated March 30 2009. This data demonstrated that there is a correlation between high chloride concentrations and high COD concentrations in the wastewater, and that TOC concentrations remain unaffected as a result of high chloride concentrations. The data also demonstrated that all TOC values were less than 50 mg/L. Therefore, LDEQ has determined that a 50 mg/L daily maximum TOC limitation is more appropriate for the discharge of maintenance and operational ballast waters from dry docks and facility owned/leased vessels and has established this limitation accordingly.

D. Outfall 006:

The intermittent discharge of external equipment wash wastewater from portable washing operations used for washing equipment throughout the facility<sup>1,2</sup>

PARAMETER	MONTHLY AVERAGE (mg/L)	DAILY MAXIMUM (mg/L)	MONITORING FREQUENCY <sup>3</sup>
Flow-MGD	Report	Report	1/3 months
TSS	---	45	1/3 months
TOC <sup>5</sup>	---	50	1/3 months
COD <sup>5</sup>	200	300	1/3 months
Oil & Grease	---	15	1/3 months
pH(standard units)	6.0 <sup>4</sup> Minimum	9.0 <sup>4</sup> Maximum	1/3 months
Soaps and/or Detergents <sup>6</sup>	---	Report	1/3 months

1. For portable washing operations, a representative sample of the wastewater to be discharged during each monitoring period shall be taken, provided that the same soaps and/or detergents are used throughout that monitoring period. If the soaps, detergents or other additives used are changed during a particular monitoring period an additional representative sample of that wastewater shall be taken and reported on a Discharge monitoring Report (DMR) form.
2. See Part II, Paragraph Q.
3. When discharging.
4. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.
5. When soaps and/or detergents are used, COD shall be monitored rather than TOC.
6. The quantity and types of all soaps and/or detergents used during the sampling month shall be recorded. Records of the quantity and types of soaps and/or detergents used shall be retained for three (3) years following Part III.C.3. Additionally, a material safety data sheet (MSDS) for each material used shall be retained. No DMR reporting is required.

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### Site Specific Considerations for Outfall 006

Flow is established in accordance with LAC 33:IX.2707.1.1.b. Flow shall be monitored at a frequency of once every three (3) months and reported on the DMR as an estimate. These requirements have been retained from the current LPDES permit, effective on May 1, 2004.

TSS, TOC, COD, Oil & Grease, Soaps and/or Detergents and pH limitations and monitoring requirements are established based on LPDES General Permit for Exterior Vehicle Wash Wastewater, LAG750000. These parameters shall be monitored at a frequency of once every three (3) months and collected as a grab sample. These requirements have been retained from the current LPDES permit, effective on May 1, 2004.

#### E. Outfall 007:

The intermittent discharge of hydrostatic test wastewater from ballast/void tanks and/or new or previously cleaned piping, vessels and tanks

PARAMETER <sup>1</sup>	MONTHLY AVERAGE (mg/L) <sup>2</sup>	DAILY MAXIMUM (mg/L) <sup>3</sup>	MONITORING FREQUENCY <sup>4</sup>
Flow-GPD	Report	Report	1/discharge
TSS <sup>6</sup>		90	1/discharge
Oil & Grease	---	15	1/discharge
TOC		50	1/discharge
Benzene	---	50 µg/L	1/discharge
BTEX <sup>7</sup> <sub>(Total)</sub>	---	250 µg/L	1/discharge
Lead	---	50 µg/L	1/discharge
pH(standard units)	6.0 <sup>8</sup> Minimum	9.0 <sup>8</sup> Maximum	1/discharge

<sup>1</sup> Flow, TSS, Oil and Grease, and pH shall be measured on discharges from all new and existing pipelines, flowlines, vessels or tanks. Total Organic Carbon (TOC) shall be measured on discharges from existing pipelines, flowlines, vessels or tanks which have previously been in service – i.e., those which are not new. For Discharge Monitoring Report calculations and reporting requirements for benzene, analytical test results less than 10µg/L may be reported as zero. Benzene, Total BTEX and Lead shall be measured on discharges from pipelines, flowlines, piping, vessels or tanks which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons. Accordingly, Flow, TSS, Oil and Grease, and pH are the only testing requirements for new pipelines, flowlines, vessels or tanks.

<sup>2</sup> When discharging.

<sup>3</sup> If any discharge extends beyond one week in duration, then sampling the above parameters shall continue on a weekly basis until discharge ends.

<sup>4</sup> The month with the highest monthly average shall be reported.

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- <sup>5</sup> The highest result from an individual hydrostatic test must be reported.
- <sup>6</sup> Report the TSS concentration of the intake water on the DMR along with the concentration of TSS in the effluent, if the effluent is being returned to the same water source from which the intake water was obtained. In these cases, the net value shall not exceed 90 mg/L. Concurrent sampling of the influent and effluent is required
- <sup>7</sup> BTEX is measured as the sum of benzene, toluene, ethylbenzene, ortho-xylene and para-xylene, as quantified using the methods prescribed by the latest approved 40 CFR 136, Tables A-G
- <sup>8</sup> The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

Note: Additives, such as corrosive inhibitors, bactericides and dyes, may not be added to test water to be discharged without prior written approval from this Office. Written requests for approval must include toxicity data for each additive proposed for use, as well as a clear description of the proposed discharge including projected volumes of wastewaters and additive levels in the wastewaters.

#### Site Specific Considerations for Outfall 007

Flow is established in accordance with LAC 33:IX.2707.1.1.b. Flow shall be monitored at a frequency of once per discharge event and reported on the DMR as an estimate.

Benzene, Total BTEX, Lead, Oil & Grease, TOC and TSS limitations and monitoring requirements are established in accordance with LPDES General Permit for Hydrostatic Test and Vessel Testing Wastewater, LAG670000. These parameters shall be monitored at a frequency of once per discharge and collected as a grab sample. These limitations and monitoring requirements have been retained from the current LPDES permit, effective on May 1, 2004.

pH is established in accordance with LAC 33:IX.1113.C.1. pH shall be monitored once per discharge and collected as a grab sample. This limitations and monitoring requirements have been retained from the current LPDES permit, effective on May 1, 2004.

#### F. Outfall 008:

The discharge of treated sanitary wastewater from the living quarters.

PARAMETER	MONTHLY AVERAGE (mg/L)	DAILY MAXIMUM (mg/L)	MONITORING FREQUENCY <sup>1</sup>
Flow-MGD	Report	Report	1/quarter
Ammonia	---	15	1/quarter
BOD <sub>5</sub>	30	45	1/quarter
Organic Nitrogen	---	7.5	1/quarter
TSS	30	45	1/quarter
Fecal Coliform <sup>2</sup>	200	400	1/quarter
pH(standard units)	6.0 <sup>3</sup> Minimum	9.0 <sup>3</sup> Maximum	1/quarter

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- <sup>1</sup> When discharging
- <sup>2</sup> Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the permittee would be required to provide for dechlorination of the effluent prior to discharge.
- <sup>3</sup> The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

#### **Site Specific Considerations for Outfall 008**

Flow is established in accordance with LAC 33:IX.2707.1.1.b. Flow shall be monitored at a frequency of once per quarter and reported on the DMR as an estimate.

Ammonia and Organic Nitrogen monitoring frequency requirements are established based upon the waste allocation limitations assigned in the United States Environmental Protection Agency (EPA) issued final report for Total Maximum Daily Load (TMDL) for Dissolved Oxygen and Nutrients in five (5) 303(d) listed subsegments in Middle Terrebonne Basin, Louisiana dated March 14, 2008. Ammonia and Organic Nitrogen shall be monitored at a frequency of once per quarter and collected as a grab sample.

BOD<sub>5</sub>, TSS, fecal coliform, and pH limitations and monitoring requirements are established based on LPDES General Permit LAG540000. These parameters shall be monitored at a frequency of once per quarter and collected as a grab sample.

### **VII. TMDL WATERBODIES**

The United States Environmental Protection Agency (EPA) issued a final report for Total Maximum Daily Load (TMDL) for Dissolved Oxygen and Nutrients in five (5) 303(d) listed subsegments in Middle Terrebonne Basin, Louisiana dated March 14, 2008. Subsegment 120604, Intracoastal Waterway, listed on EPA's Final TMDL list as impaired for dissolved oxygen (DO) and nutrients. Waste load allocations were assigned to this facility in subsegment 120604 for organic nitrogen and ammonia for Outfalls 001, 002, 004 and 008. These waste load allocations have been incorporated in this draft permit and will become effective limitations upon issuance of the final permit. Outfall 002 has since been deleted from this facility in the permit modification with the effective date of October 4, 2004.

When oxygen-demanding substances are controlled and limited to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. Implementing the dissolved oxygen TMDL through future wastewater discharge permits and implementing best management practices to control and reduce runoff of soil and oxygen-demanding pollutants will also control and reduce the nutrient loading.

LDEQ's position regarding water quality criteria for nutrients is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. See *In The Matter of Sierra Club and Louisiana Environmental Network Request for Nutrient Limits*. Docket No. AHD-DR-96001. LDEQ April 29, 1996.

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### VIII. COMPLIANCE HISTORY/DMR REVIEW:

A review of LDEQ records from the time period of January 1, 2007 through October 2, 2009 was conducted. No records of open enforcement action for wastewater discharges were noted during this time frame.

An inspection was conducted on March 26, 2008. No areas of concern were noted.

The following excursions were noted:

DATE	OUTFALL	PARAMETER & LIMITS	EXCURSION	CAUSE
03/01/07	001	BOD <sub>5</sub> 45mg/L	66 mg/L	Possible system overload
03/01/07	001	TSS 45mg/L	66 mg/L	Possible system overload
03/01/07	004	TSS 45mg/L	58 mg/L	Use of harsh chemicals to clean restrooms
03/01/07	004	pH 6-9 s.u.	5.49 s.u.	Use of harsh chemicals to clean restrooms
03/15/07	001	BOD <sub>5</sub> 45mg/L	66 mg/L	Possible system overload
03/15/07	001	TSS 45mg/L	66 mg/L	Possible system overload
03/15/07	001	Fecal Coliform 400 colonies/100mL	>20,000 colonies/100mL	Possible system overload
03/15/07	004	Fecal Coliform 400 colonies/100mL	4,900 colonies/100mL	Use of harsh chemicals to clean restrooms
07/05/07	001	BOD <sub>5</sub> 45mg/L	166 mg/L	Slow aeration allow debris in the contact chamber
07/05/07	001	TSS 45 mg/L	184 mg/L	Slow aeration allow debris in the contact chamber
07/19/07	001	BOD <sub>5</sub> 45mg/L	281 mg/L	Malfunction in the aeration pump system
07/19/07	001	Fecal Coliform 400 colonies/100mL	40,000 colonies/100 mL	Insufficient contact with chlorine tablets
07/19/07	001	TSS 45mg/L	444 mg/L	Malfunction in the aeration pump system
07/19/07	004	Fecal Coliform 400 colonies/100mL	720 colonies/100mL	Insufficient contact with chlorine tablets

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DATE	OUTFALL	PARAMETER & LIMITS	EXCURSION	CAUSE
11/01/07	001	BOD <sub>5</sub> 45mg/L	126 mg/L	Malfunction in the aeration pump system
11/01/07	001	TSS 45mg/L	546 mg/L	Malfunction in the aeration pump system
02/07/08	001	TSS 45mg/L	80 mg/L	Accumulation of solids
03/06/08	004	pH 6 – 9 s.u.	5.40 s.u.	Use of harsh chemicals to clean restrooms
04/17/08	004	TSS 45mg/L	104 mg/L	Accumulation of solids
05/01/08	004	pH 6 – 9 s.u.	5.59 s.u.	Unknown
05/28/08	004	TSS 45mg/L	62 mg/L	Unknown
07/03/08	001	TSS 45mg/L	308 mg/L	Unknown
07/03/08	001	BOD <sub>5</sub> 45mg/L	101 mg/L	Unknown
07/03/08	001	Fecal Coliform 400 colonies/100mL	540 colonies/100mL	Unknown
07/17/08	001	TSS 45mg/L	308 mg/L	Treatment Plant operator on leave
07/17/08	001	BOD <sub>5</sub> 45mg/L	101 mg/L	Treatment Plant operator on leave
07/17/08	001	Fecal Coliform 400 colonies/100mL	540 colonies/100mL	Treatment Plant operator on leave
07/17/08	004	Fecal Coliform 400 colonies/100mL	2100 colonies/100mL	Treatment Plant operator on leave
07/17/08	004	pH 6 – 9 s.u.	3.9 s.u.	Treatment Plant operator on leave
08/07/08	001	TSS 45mg/L	75 mg/L	Treatment Plant operator on leave

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DATE	OUTFALL	PARAMETER & LIMITS	EXCURSION	CAUSE
08/07/08	001	BOD <sub>5</sub> 45mg/L	90 mg/L	Treatment Plant operator on leave
02/26/09	004	pH 6.0-9.0 s.u.	5.66 s.u.	Weather conditions

These excursions were referred to the Office of Environmental Compliance, Enforcement Division on January 6, 2010.

#### **X. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 120604 of the Terrebonne Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated January 10, 2010, from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

#### **X. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Office is required.

#### **XI. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

#### **XII. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing